

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

YESENIA RIVERA GABRIEL,

Petitioner,

v.

ANTHONY JAMES LAVISON,

Respondent.

CASE NO. 2:22-cv-00006-TL

SCHEDULING ORDER

On January 28, 2022, the Court held a hearing with both parties wherein the Court made clear that it intended for this case to proceed on an expedited basis in accordance with the Hague Convention on the Civil Aspects of International Child Abduction (the “Convention”). In consideration of Respondent Anthony Lavison’s apparent difficulties securing counsel, the Court did not set a case schedule at the hearing. The Court ordered the Parties to confer and jointly file

1 a proposed case scheduling order by no later than February 11, 2022 (*see* Dkt. No. 23), giving
2 Mr. Lavison additional time to seek representation.¹

3 On February 10, Ms. Andrekita Silva, counsel for Petitioner Yesenia Rivera Gabriel, filed
4 a certification detailing her efforts to meet and confer with Mr. Lavison, or his counsel, about the
5 proposed joint schedule as ordered by the Court. Dkt. No. 25. In her certification, Ms. Silva
6 details several attempts to contact Mr. Lavison via email, home phone, cell phone, and text
7 message, all of which appear to have gone unanswered. To comply with the Court's order,
8 Ms. Silva also filed a proposed schedule she prepared in anticipation of conferring with
9 Mr. Lavison and asks the court to adopt her proposed schedule despite Mr. Lavison's lack of
10 input. Mr. Lavison has yet to respond to the Court's order regarding scheduling. While the Court
11 understands that Mr. Lavison may still be seeking an attorney, that is no excuse for Mr.
12 Lavison's failure to comply with the Court's order, which simply required him to work with
13 Ms. Silva to set forth a schedule for the resolution of this matter. The Court warns Mr. Lavison
14 that any future violations of this Court's orders may result in sanctions, including contempt.

15 Since Mr. Lavison failed to comply with his meet and confer obligation, the Court will
16 enter an order setting a schedule in line with the one proposed by Petitioner's counsel, Ms. Silva.
17 At the January 28th hearing, the Parties expressed mutual interest in pursuing mediation as an
18 alternate means of resolving the dispute. To help accommodate that process and conserve the
19 Parties' resources, the Court referred the case to Magistrate Judge S. Kate Vaughan for the
20 purpose of conducting a mediated settlement conference. Dkt. No. 24.

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23 ¹ Mr. Lavison was served with the Petition on January 9 and now has had more than five weeks to secure counsel.
24 The Court has also provided Mr. Lavison with resources regarding finding pro bono representation and guidance for
representing himself *pro se*.

The Court hereby sets this case for an evidentiary hearing on the merits and ORDERS entry of the following schedule, which takes into account Ms. Silva's unavailability as listed in the draft proposed joint scheduling order and provides for an opportunity for mediation:

Event	Date
EVIDENTIARY HEARING SET FOR 9:00 A.M. ON	3/22/2022
Length of hearing	6 hours
Deadline to disclose witnesses	2/21/22
Deadline to exchange exhibits, list of exhibits, and witness list	2/28/22
Deadline to exchange rebuttal exhibits	3/4/22
Joint statement of evidence due	3/7/22
Mediation held no later than	3/11/22
Prehearing statements due	3/14/22
Motions in limine due	3/18/22

The evidentiary hearing will take place via Zoom. The parties will be provided access information for the virtual session in advance of the hearing. Participants are prohibited from sharing this information with any non-participant.

The dates set forth in this order are firm dates that can be changed only by order of the Court, not by agreement of the Parties or counsel. The Court will alter these dates only upon good cause shown.

IT IS SO ORDERED.

Dated this 14th day of February 2022.


 Tana Lin
 United States District Judge